

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
OCTOBER 6, 1982

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Wednesday, October 6, 1982 in the City Hall Council Chambers.

ROLL CALL

Present: Council Members - Murphy, Olson, Pinkerton, Snider, and Reid (Mayor)

Absent: Council Members - None

Also Present: City Manager Glaves, Assistant City Manager Glenn, Community Development Director Schroeder, Public Works Director Ronsko, City Attorney Stein, and City Clerk Reimche

INVOCATION

The invocation was given by Dr. Wayne Kildall, Center of Hope

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the flag was led by Mayor Reid

REPORTS OF THE CITY MANAGER

CONSENT CALENDAR

In accordance with report and recommendation of the City Manager, the following actions hereby set forth between asterisks, on motion of Council Member Pinkerton, Murphy second, were approved by the Council.

CLAIMS

CLAIMS WERE APPROVED IN THE AMOUNT OF \$1,565,939.84.

MINUTES

THE MINUTES OF AUGUST 4, 1982, AUGUST 18, 1982, SEPTEMBER 1, 1982 AND SEPTEMBER 15, 1982 WERE APPROVED AS WRITTEN.

City Manager Glaves presented the following bids which had been received for "Catch Basin Replacement 81/82".

BIDDERBID

Granite Construction	\$18,503.51
Case Construction	22,083.20
Claude C. Wood Company	22,327.50
Stanfield and Moody	31,548.00
D.S.S. Company	36,045.00

Following recommendation of the City Manager, Council adopted the following Resolution:

RES. NO. 82-109

RESOLUTION NO. 82-109

AWARD - "CATCH BASIN REPLACEMENT 81/82"

RESOLUTION AWARDED THE CONTRACT FOR "CATCH BASIN REPLACEMENT 81/82" TO GRANITE CONSTRUCTION COMPANY, THE LOW BIDDER, IN THE AMOUNT OF \$18,503.51 AND APPROPRIATED \$4,400.00 FROM THE CAPITAL OUTLAY RESERVE FUND TO COMPLETE THE PROJECT.

City Manager Glaves presented the following bids which had been received for "Main Street Storm Drain, Elm Street to Lockeford Street".

BIDDERBID

Wayne Fregien Construction	\$41,560.00
W. M. Lyles Company	42,375.20
Crutchfield Construction	43,419.90
Wonmor Contracting	43,977.05
Claude C. Wood Company	44,444.00
Granite Construction	45,910.00
Jerry Gavrilko	50,606.00
Bowers Company	50,713.00
Agir Corporation	52,758.21
Teichert Construction	53,362.00

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BIDDERBID

Stanfield and Moody, Inc.

\$55,633.00

On recommendation of the City Manager, Council adopted the following Resolution:

RESOLUTION NO. 82-110

AWARD - MAIN STREET STORM DRAIN, ELM STREET TO LOCKEFORD STREET

RESOLUTION AWARDING THE BID FOR "MAIN STREET STORM DRAIN, ELM STREET TO LOCKEFORD STREET" TO WAYNE FREGIEN CONSTRUCTION, THE LOW BIDDER, IN THE AMOUNT OF \$41,560.00.

RES. NO. 82-110

AWARD - CONTRACT FOR ASPHALT MATERIALS - SECOND AND THIRD QUARTERS F.Y. 1982-83

City Manager Graves presented the following bids which had been received for the contract for asphalt materials - second and third quarters fiscal year 1982-83:

BIDS FOR ASPHALT MATERIAL

SUPPLIER	ITEM NO. 1			ITEM NO. 2		
	A Dense Grade Asphalt Concrete, Type B 3/8". Asphalt binder shall be Viscosity Grade AR-4000 Paving Asphalt F.O.B. Plant (300 Tons)	B Stockpile City Limits (200 Tons)	C Hopper of Paver (1200 Tons)	A Dense Grade Asphalt Concrete, Type B 1/2". Asphalt binder shall be Viscosity Grade AR-4000 Paving Asphalt F.O.B. Plant (50 Tons)	B Stockpile City Limits (100 Tons)	C Hopper of Paver (100 Tons)
Claude C. Wood Co. Clements						
Cost Per ton inc. tax	\$20.94	\$24.27	\$26.02	\$20.67	\$24.01	\$25.76
Plus: City cost for mileage	4.85			4.85		
TOTAL	\$25.79	\$24.27	\$26.02	\$25.52	\$24.01	\$25.76
Granite Construction Co. Stockton						
Cost per ton inc. tax	\$21.73	\$26.00	\$26.00	\$21.47	\$25.76	\$25.76
Plus: City cost for mileage	6.28			6.28		
TOTAL	\$28.01	\$26.00	\$26.00	\$27.75	\$25.76	\$25.76
Industrial Asphalt, Inc. Linden						
Cost per ton inc. tax	\$22.79	\$27.03	\$27.56	\$21.73	\$25.97	\$26.50
Plus: City cost for mileage	8.12			8.12		

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Following recommendation of the City Manager, Council adopted the following Resolution:

RES. NO. 82-111

RESOLUTION NO. 82-111

RESOLUTION AWARDING THE BID FOR ASPHALT MATERIALS FOR THE SECOND AND THIRD QUARTERS OF FISCAL YEAR 1982-83 AS FOLLOWS:

Claude C. Wood Co. Item No. 1A and B
 Item No. 2A, B and C

Granite Construction Item No. 1C

ITEM REMOVED FROM AGENDA

WITH THE TACIT CONCURRENCE OF THE CITY COUNCIL, AGENDA ITEM e 1 F "ACCEPT IMPROVEMENTS, LAKESHORE VILLAGE" WAS REMOVED FROM THE AGENDA.

ACCEPTANCE OF "LOCKEFORD STREET IMPROVEMENTS, HAM LANE TO CALIFORNIA STREET

COUNCIL ACCEPTED THE IMPROVEMENTS FOR "LOCKEFORD STREET IMPROVEMENTS, HAM LANE TO CALIFORNIA STREET", AND DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDER'S OFFICE.

Council was apprised that the contract was awarded to Claude C. Wood Company of Lodi on July 7, 1982 in the amount of \$208,019.00 and has been completed in substantial conformance with the plans and specifications. The final contract price was \$220,499.05. The difference between the contract amount and the final contract price is due to a slight over-run in asphalt and rock quantities and the cost of repairing soft subgrade below the normal construction depth.

SPECS FOR STREET DEPARTMENT TRACTOR LOADER APPROVED

COUNCIL APPROVED THE SPECIFICATIONS FOR AN INDUSTRIAL TRACTOR, FRONT LOADER FOR THE STREET DEPARTMENT AND AUTHORIZED THE PURCHASING AGENT TO ADVERTISE FOR BIDS THEREON.

APPROVAL OF SAND CREEK FINAL MAP AND SUBDIVISION DOCUMENTS

COUNCIL APPROVED THE FINAL MAP AND SUBDIVISION DOCUMENTS FOR SAND CREEK CONDOMINIUMS, TRACT NO. 1810 AND DIRECTED THE CITY MANAGER AND CITY CLERK TO EXECUTE THE SUBDIVISION AGREEMENT AND MAP ON BEHALF OF THE CITY.

Council was apprised that Thomas Luckey Construction Inc. the developer of Sand Creek Condominiums has furnished the City with the necessary agreements, improvement securities, and fees for the proposed subdivision. This is a 3 lot condominium subdivision located at the corner of Sand Creek Drive and Mills Avenue. It is proposed that Lots 1 and 2 each contain 46 condominium units and Lot 3, 38 condominium units.

SUBDIVISION AGREEMENT ADDENDUM FOR STONE TREE APPROVED

COUNCIL APPROVED THE SUBDIVISION IMPROVEMENT AGREEMENT ADDENDUM WITH STONE TREE INVESTMENT COMPANY FOR THE IMPROVEMENTS OF ALMOND DRIVE AND CHEROKEE LANE, AND AUTHORIZED THE CITY MANAGER AND CITY CLERK TO EXECUTE THE ADDENDUM ON BEHALF OF THE CITY.

Council was informed that as part of the development of Stonetree Subdivision, the subdivider will be installing street improvements along Almond Drive and Cherokee Lane. The City has a responsibility for reconstructing the pavement on Almond Drive and Cherokee Lane. Included in the subdivider's bid proposal was the City's portion of the work. The low bid for the City's portion was \$16,026.80. The price is reasonable, and it is in the City's best interest to install these improvements at the same time as the subdivision improvements.

MOWING AGREEMENT WITH LODI UNIFIED SCHOOL DISTRICT APPROVED

COUNCIL APPROVED AN AGREEMENT BETWEEN THE CITY AND THE LODI UNIFIED SCHOOL DISTRICT, WHEREBY THE CITY AGREES TO PROVIDE MOWING SERVICES AT THE FOLLOWING ATHLETIC FIELD AREAS FOR THE PERIOD BEGINNING OCTOBER 15, 1982 AND ENDING

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OCTOBER 15, 1984 AT A COST OF \$46.26 PER HOUR AND AUTHORIZED THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY:

LODI HIGH SCHOOL
TOKAY HIGH SCHOOL (NEW CAMPUS)
WOODBIDGE SCHOOL
HERITAGE SCHOOL

AGREEMENT WITH SCHOOL DISTRICT FOR USE OF STADIUM

COUNCIL APPROVED AN AGREEMENT WITH THE LODI UNIFIED SCHOOL DISTRICT FOR THE SCHOOL DISTRICT'S USE OF THE STADIUM FOR SCHOOL ACTIVITIES FOR A PERIOD OF ONE YEAR COMMENCING SEPTEMBER 1, 1982 AND AUTHORIZED THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY.

AGREEMENT WITH JUNIOR ACHIEVEMENT OF SAN JOAQUIN, INC. APPROVED

COUNCIL APPROVED AN AGREEMENT WITH JUNIOR ACHIEVEMENT OF SAN JOAQUIN, INC. TO USE A PORTION OF THE CARNEGIE LIBRARY FOR A SEVEN MONTH PERIOD ENDING ON APRIL 30, 1983 AND AUTHORIZED THE CITY MANAGER AND CITY CLERK TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY.

PUBLIC HEARING SET TO CONSIDER THE 1982-83 LODI UNIFIED SCHOOL DISTRICT DECLARATION OF IMPACTION

COUNCIL SET A PUBLIC HEARING FOR 8:00 P.M. ON OCTOBER 27, 1982 TO CONSIDER THE LODI UNIFIED SCHOOL DISTRICT DECLARATION OF IMPACTION REPORT 1982-83.

City Manager Graves apprised the Council that the following bids had been received for a Turf Truckster for the Parks and Recreation Department:

Central Valley Equipment Co.	\$21,696.08
Duke Equipment Company	\$22,047.79
H. V. Carter	\$24,422.40

AWARD - TURF TRUCKSTER FOR PARKS AND RECREATION DEPARTMENT

On recommendation of the City Manager, Council adopted Resolution No. 82-117 awarding the bid for a Turf Truckster for the Parks and Recreation Department to Central Valley Equipment Company, the low bidder, in the amount of \$21,696.08.

RES. NO. 82-117

PUBLIC HEARINGS

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Reid called for the Public Hearing to consider the request of Joanne Shuter, c/o Dial Realty, 529 West Lodi Avenue, Lodi, to amend the Specific Plan for Howard Street between Lockford Street and Lake Street, Lodi as adopted by Ordinance No. 917, December 3, 1969.

NO ACTION TAKEN ON REQUEST TO AMEND HOWARD STREET SPECIFIC PLAN

City Clerk Reimche read a letter from Ms. Elaine R. Kepler, Agent representing Mrs. Shuter as follows:

"Dear Mayor and Council Members:

This is in regards to the notice of public hearing set for October 6, 1982 at 8 PM in the matter of the request from Joanne Shuter to amend the specific ordinance no. 917, between Howard Street and Lockford Street.

Due to events we had no control over, Mrs. Shuter will not be able to purchase the property involved with the specific ordinance in question.

Although, after notification of the hearing date to area property owners, we have several telephone calls in regards to this matter. None have been in favor of the specific ordinance taking place and have voiced their opinion to myself and Mrs. Shuter in the hopes of having it amended.

Therefore, we request that the City Council read this letter to the public at the hearing already set to determine what

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action, if any, should be taken.

Respectfully,

Elaina R. Kepler, Agent
Representing: Mrs. Joanne Shuter"

There were no persons in the audience wishing to speak on the matter, and the public portion of the hearing was closed.

Following discussion, on motion of Mayor Pro Tempore Murphy, Reid second, Council voted to take no action on the matter.

Notice thereof having been published and posted in accordance with law and affidavit of publication and posting being on file in the Office of the City Clerk, Mayor Reid called for the Public Hearing to consider vacating a 20-foot strip of land lying north of Lot 37, Walnut Orchard Tract, Lodi, California.

The matter was introduced by Public Works Director Ronsko who presented a diagram indicating the subject area for the perusal of the Council.

ORDER OF VACATION ADOPTED
VACATING A 20-FOOT STRIP
OF LAND LYING NORTH OF LOT
37, WALNUT ORCHARD TRACT,
LODI

It was Staff's recommendations that the adoption of the Order be conditioned upon the retention of the necessary public easements and that the order not be recorded until funds have been received for pole relocation in the area.

There were no persons wishing to speak on the matter, and the public portion of the hearing was closed.

On motion of Councilman Pinkerton, Olson second, Council adopted an Order of Vacation, thereby vacating a 20-foot strip of land lying north of Lot 37, Walnut Orchard Tract, Lodi, reserving, however, and excepting from the vacation, the permanent easment included therein. Further, the City Clerk was directed not to record the Order until such time as the condition had been met regarding pole relocation in the subject area.

REVENUE SHARING
APPROPRIATIONS 1982-83

Notice thereof having been published in accordance with law and affidavit of publishing being on file in the office of the City Clerk, Mayor Reid called for the Public Hearing to consider the proposed uses of Revenue Sharing Funds.

The matter was introduced by City Manager Glaves who presented the following recommended Revenue Sharing Appropriations for 1982-83:

Capital Outlay

Storm Drainage	\$247,000	
Other Facilities	<u>341,400</u>	
		\$588,400
Classification and Salary Survey		25,000
City Telephone Study		<u>4,000</u>
		\$617,400

There being no persons in the audience wishing to speak on the matter, the public portion of the hearing was closed.

Following discussion, on motion of Councilman Pinkerton, Murphy second, Council approved the Revenue Sharing Appropriations for 1982-83 as heretofore set forth.

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PLANNING COMMISSION

City Manager Graves gave the following report of the City Planning Commission meeting of September 13, 1982:

ITEMS OF INTEREST

The Planning Commission -

1. Approved the request of Thomas Luckey Construction Company for a Tentative Parcel Map of Lakeshore Business Park which resubdivided Lots "G" through "N" and Lots 26 and 36 located in West Kettleman Lane in the Lakeshore Village Subdivision.
2. Approved an alternate Tentative Subdivision Map for Beckman Ranch, Unit #5 which permits the substitution of a 3.75 acre church site for residential units at the northwest corner of South Ham Lane and Chablis Drive.
3. Determined that a Zoning Hardship did not exist and denied the request of Jon and Donna Koehn for a Variance to construct a 6 foot fence in the required street side-yard area at 810 Denby Way, Lots 27, Burlington Manor, in an area zoned R-2, Single-Family Residential.
4. Set a Special Joint Meeting with the San Joaquin County Planning Commission for 7:30 p.m. Thursday, September 30, 1982 in the County Planning Commission Auditorium to consider the Circulation Element for Woodbridge.

At its meeting of September 27, 1982 the Planning Commission:

1. Accepted the request of the applicant to withdraw the proposed amendment to the Howard Street Specific Plan and took no action on the matter.
2. Conditionally approved the request of Fotomat Corporation for a Use Permit to allow drive-through photographic kiosk at 730 West Kettleman Lane in the Vineyard Shopping Center, in an area zoned P-D(15), Planned Development District No. 15.
3. Permanently approved the Temporary Use Permit for an electronic games center in the Lakewood Mall in an area zoned C-S, Commercial Shopping Center.

COMMUNICATIONS

APPEAL OF JON S. KOEHNEN
RE ZONING VARIANCE SET
FOR HEARING

City Clerk Reimche presented a letter which had been received from Mr. Jon S. Koehn, 810 Denby Way, Lodi, appealing the Planning Commission's denial of his request for a Zoning Variance to permit a 6 foot fence in the required street side-yard area at 810 Denby Way (i.e. Lot 27, Burlington Manor) in an area zoned R-2, Single-Family Residential.

On motion of Mayor Pro Tempore Murphy, Snider second, the matter was set for Public Hearing on October 27, 1982.

CLAIMS

City Clerk Reimche presented a claim which had been filed on behalf of Dorene Berutto, Date of Loss April 13, 1982. On motion of Council Member Snider, Murphy second, Council denied the claim and referred same to R. L. Kautz and Company.

REPORT GIVEN ON SPECIAL
JOINT SESSION OF THE
SAN JOAQUIN COUNTY
PLANNING COMMISSION AND
THE LODI CITY PLANNING
COMMISSION

Community Development Director Schroeder gave a brief report on a special joint session of the San Joaquin County Planning Commission and the Lodi City Planning Commission to consider General Plan - Circulation Element Amendment No. GPA-82-1 to amend the Circulation Element of the Lodi General Plan by adding the Woodbridge Circulation Plan.

COMMENTS BY CITY COUNCIL
MEMBERS

Council Member Snider reported on a recent meeting of the Recreation Commission that he and Mayor Reid had attended and outlined the following recommendations of the Recreation Commission resulting from that meeting as follows:

- a) Continue the \$1.00 entrance fee at Lodi Lake Park

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- b) Possible establishment of a park curfew for all City Parks. Said curfew to be 10:00 p.m. with exceptions granted through a "permit" process.
- c) Continue pursuing the possibility of "Park Rangers".

CITY PARKS

A lengthy discussion followed with questions being directed to Staff and to the City Attorney. Council tacitly concurred that Council Member Snider and City Attorney Stein are to meet and to bring back to the Council at a future meeting a model ordinance regarding a park curfew within the City of Lodi.

Council Member Snider asked to continue with the Task Force relating to all Parks within the City of Lodi.

A lengthy discussion followed regarding the maintaining of Police personnel in the area of Lodi Lake Park. The specifications for a park ranger and the difficulties of developing such specifications were discussed at length.

LODI LAKE PARK

Council Members expressed their feelings regarding the entire subject with the majority of the Council relating to the City Manager that during the summer months, there should be close police surveillance of the Lake area; however, the allocation of manpower at that location should be left up to the management personnel of the Police Department.

CITY EMBLEMS ON ALL CITY VEHICLES/EQUIPMENT PROPOSED

Mayor Pro Tempore Murphy proposed the placement of City Seals or Emblems on all City vehicles/equipment. Discussion followed with Council taking no formal action on the matter.

COMMENTS BY THE PUBLIC + NON AGENDA ITEMS

Mrs. Pat Senner, 831 South Washington, Lodi, addressed the Council stating that she was attending the Council Meeting to advise the Council that she was not aware that the parking problems in the area of PCP were going to be a matter of discussion at the September 15, 1982 Council meeting and to report that "we" were not satisfied with Council's decision of that date concerning this matter. Mrs. Senner stated that they don't feel red curbing is going to stop the problem and that they are sure the workers don't understand what is going on because the problems have just gotten worse.

PARKING PROBLEMS IN AREA OF PCP

Also addressing the Council on the matter was Maxine Rosenstraugh, 216½ Cherry Street, Lodi. Mrs. Rosenstraugh asked why they can't have permits to park in front of their homes.

City Attorney Stein explained the City ordinance relating to permit parking, and outlined some of the disadvantages of such an ordinance.

Mayor Reid asked that Mrs. Senner meet with City Attorney Stein to discuss that matter more fully and for the City Attorney to explain the limitations involved to Mrs. Senner.

COMPLAINT RECEIVED FROM Lodi SENIOR CITIZENS' CLUB RE PARKING

Mr. Bob Rivers representing the Lodi Senior Citizens' Club addressed the Council regarding parking problems their club members have encountered since the 5 hour meters were removed from behind their club house. Following discussion, with questions being directed to Staff, City Manager Graves indicated that he would like the opportunity to check into designating the area as a five-hour parking lot.

LODI DOWNTOWN DEVELOPEMENT PLAN

Council Member Pinkerton gave the following report regarding proposed improvements in downtown Lodi:

As a portion of this report, Mr. Larry Wenell of the firm

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of Morris and Wenell presented the plans for the Lodi Main Post Office.

Councilman Pinkerton reported that "At the September 1, 1982 Council Meeting, Mayor Reid appointed me to chair a Task Force consisting of representatives of both the proponents and opponents of the proposed Downtown Assessment District to discuss their differences in an effort to arrive at unanimity regarding this project. I was directed to report back to the Council at the October 6, 1982 Council Meeting with recommendations resulting from these discussions.

Five weekly Task Force meetings were held with representatives of each group attending and the following recommendations were derived from discussions at those meetings:

- a) It is the belief of the group that the opponents and proponents of the proposed Downtown Assessment District are merging into one supportive group whose goal is the improvement and beautification of downtown Lodi.
- b) It is recommended that the firm of Morris and Wenell be retained at a cost of \$10,000 to develop a schematic Master Plan for downtown Lodi which would be acceptable to the group, which plan would be an extension of the plan developed by Quad. It is requested that Council allocate \$10,000 for the development of this plan. These funds are to be allocated from the Hotel-Motel tax (Beautification funds). It is the intention of the group that upon the completion of the project, that this sum and the original \$25,000 allocated for the development of the Quad Plan will be reimbursed to the City.
- c) It was agreed that the ultimate plan has to have IMPACT.
 - 1) The Beautification Plan must, as a minimum requirement to be a viable investment, reverse and stop the appearance of physical deterioration on Sacramento Street.
 - 2) The Beautification Plan must establish a degree of aesthetic uniformity throughout the existing downtown area, and place its emphasis on areas that need improvement the most.
 - 3) The Beautification Plan, as previously stated, must be consistent with and actually should be an extension of the final plan for the Post Office.
 - 4) Customer amenities should be top priority in any plan and should include:
 - A) Public restrooms and phone booths
 - B) Weather protection (awnings and trellis covers)
 - C) Sidewalk improvement
 - D) Mid-block pedestrian crossings
 - E) Benches strategically located in all downtown areas
- d) Traffic circulation patterns for downtown will be determined later in the planning process.
- e) Plan must provide for additional parking. If it is feasible, a School Street parking plan should be developed with parallel parking on one side of the street and diagonal parking on the other.

I would ask Council to commend this Task Force for its commitment of time and effort and to support the recommendations heretofore set forth.

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I would further ask that Mayor Reid appoint me to continue working with this group through the completion of this project."

Task Force Representative Barbara McWilliams and Jack Bowen addressed the Council commending the work of the Task Force, complimenting Council Member Pinkerton for his efforts in this matter confirming the belief that both groups were now merging into one supportive group whose goal is the improvement and beautification of downtown Lodi.

Following discussion, on motion of Council Member Olson, Snider second, Council accepted the heretofore listed recommendations and authorized the expenditure of \$10,000 from the Hotel-Motel Tax Fund for the Lodi Design Group to develop a schematic Master Plan for downtown Lodi improvements, which would be acceptable to the Task Force and would be an extension of the plan developed by Quad. The motion passed by unanimous vote.

Mayor Reid appointed Council Member James Pinkerton to continue serving with this group through the completion of this project.

HUTCHINS STREET SQUARE

A check in the amount of \$27,600 was presented to the Council on behalf of the Old LUHS Site Foundation by Chairman Ken Boyd. These monies represent revenues collected from the Field and Fair Day III Celebration and smaller donations and memorials that have been collected by the Foundation over the past few months.

Mr. Boyd also apprised the Council that the Foundation has also taken the initiative on the site to implement several public awareness projects, including the fund-drive thermometer, renovating the Hutchins Street Marquee and installing building signs. These projects have been paid for by the Foundation at a cost of \$1,600.00 and Mr. Boyd requested, on behalf of the Foundation, that this amount also be forgiven from the debt due.

On motion of Mayor Reid, Murphy second, Council forgave an additional \$1,600.00 of the site debt as requested by the Foundation.

Following a suggestion by Mayor Pro Tempore Murphy to forgive the entire debt, Mr. Boyd stated that "it's the feeling of the Foundation Board that they would like to continue with raising that money, that they would prefer that the debt not be forgiven; that they feel it might damage their credibility with the community at large".

Mayor Reid then proposed that the City match the Foundation dollar for dollar everytime the Foundation presents a check, which amount would go to the final detail plan. Mayor Reid stated that he knows right now that plans are needed on conduit to be placed before the sidewalks can be placed that were donated and that he believes the City should do that.

A very lengthy discussion followed.

On introduction of Councilman Snider, Council discussion followed regarding funding for the development of Hutchins Street Square, which discussion included the possibility of bonding the project or establishing an assessment district to cover the development.

Mayor Reid then moved that the City of Lodi match dollar for dollar any contributions by the Foundation toward the site debt payment, which amount is to be used for detail plan work to be prepared by the Lodi Design Group. The motion was seconded by Councilman Pinkerton and carried by unanimous vote.

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At the suggestion of Council Member Olson, Council tacitly concurred to hold 4 study sessions a year with the foundation and the Lodi Design Group to discuss the Hutchins Street Square Community Center Project.

RECESS

Mayor Reid declared a five-minute recess and the meeting reconvened at approximately 9:45 p.m.

City Manager Graves apprised the Council that at the August NCPA Commission meeting, the Commission approved release to the participants of the following four Ordinances relating to the Shell No. 3 East Block Project:

DESCRIPTION

- 1) \$300 Million Note Ordinance
- 2) \$300 Million Bond Ordinance
- 3) \$130 Million Refunding Bond Ordinance
- 4) \$30 Million Amendment to Second Phase Agreement

Under California Law, NCPA cannot issue debt for a project unless the participants in the project have each approved an Ordinance authorizing the issuance of such debt. NCPA would like the flexibility to finance the East Block Project and those facilities related to it with either bonds, bond anticipation notes, bank loans, tax-exempt commercial paper or demand notes. The \$300 million Bond Ordinance and \$300 million Note ordinance provide NCPA with the flexibility to use any of these financing options. NCPA would like the flexibility to temporarily finance the entire Project with tax exempt commercial paper or bond anticipation notes backed by a bank's irrevocable letter of credit. The final terms and conditions of any NCPA debt are subject to Commission approval. The estimated \$300 million is broken out as follows:

\$150 Million	Construction Costs Including Interest During Construction of the 110 MW East Block Project
\$ 50 Million	Construction Costs Including Interest During Construction of New Transmission which NCPA Might Build Jointly with PG&E
\$ 10 Million	NCPA's Share of Costs of a Possible Joint Chemical Disposal Facility in the Geysers
\$ 10 Million	NCPA's Share of Costs of a Possible Joint Maintenance Facility in the Geysers
\$ 5 Million	Cost of a Possible NCPA Buy-In of PG&E Transmission Facilities
\$ 25 Million	Contingencies
\$ 50 Million	Bond Reserves and Financing Expenses
<u>\$300 Million</u>	<u>TOTAL</u>

The above costs have all been estimated conservatively.

The East Block Project will require geothermal steam from both the East Block and the Primary Area. NCPA Shell Project #2 currently has a first call on steam in both areas. To allow the financing of the East Block Project at reasonable terms, it might be advisable or necessary to advance refund the DOE loan and/or the \$55 million outstanding Shell Project #2 Bonds to defease the legal covenants which

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create Shell Project #2's prior lien on steam.

It also might be economical from an interest saving standpoint to advance refund the DOE loan and/or the \$55 million outstanding Shell Project #2 Bonds.

An indepth presentation on the project was presented by Utility Director Dave Curry which included the following information:

PROJECT SUMMARY

NCPA NO. 3 GEOTHERMAL POWER PLANT

Project Description

The Northern California Power Agency (NCPA) No. 3 project will consist of two 55 MW geothermal turbine-generator units complete with associated electrical equipment, cooling system, hydrogen sulfide abatement system, 230 kv transmission line, and steam collection system.

The plant site is located within The Geysers Known Geothermal Resource Area (KGRA) approximately 75 miles north of San Francisco. The site of the power plant is under lease from the U.S. Bureau of Land Management and is located in Sonoma County, California. The plant will be located 1 mile east of the NCPA Geothermal Power Plant No. 2 (Ref. Figure 1-1).

Steam to the plant will be provided via a steam gathering system designed and constructed by Shell California Production Inc. (SCPI). The gathering system will connect together several steam wells to provide an integrated steam supply system to NCPA No. 2 and NCPA No. 3 plants.

Capacity Factor

The power plant units are designed to run as base loaded (continual operation) units at their maximum efficiency point. The design point has been selected such that the units provide the maximum power at the most economical rate. Based on operating experience of geothermal plants in The Geysers area, an average annual capacity factor of 83.3% is expected.

Plant Design

Gibbs & Hill, Inc. (G&H) is doing the engineering and construction management for Project No. 3. The plant design will be based on the experience of the G&H organization, the operating experience at NCPA Geothermal Project No. 2, and the extensive geothermal operating experience of the NCPA power plant operations staff. It will incorporate the very latest technology associated with geothermal plants in terms of efficient running and maximum availability, and is expected to operate at top performance throughout its design life time of 25 years.

Cost & Timetable

NCPA 3 Project cost is estimated at \$175,000,000, assuming commercial operation of the plant by 1986. Site preparation is scheduled for 1983.

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Financial Considerations

Under California Law, NCPA cannot issue debt for a project unless the participants in the project have each approved an ordinance authorizing the issuance of such debt. NCPA would like the flexibility to finance the NCPA 3 Project and those facilities related to it with either bonds, bond anticipation notes, bank loans, tax-exempt commercial paper or demand notes. The \$300 million Bond Ordinance and \$300 million Note Ordinance provide NCPA with the flexibility to use any of these financing options.

The NCPA 3 Project will require geothermal steam from both the East Block and the Primary Area. NCPA (Shell) Project #2 currently has a first call on steam in both areas. To allow the financing of the NCPA 3 Project at reasonable terms, it might be advisable or necessary to advance refund the DOE loan and/or the \$55 million outstanding Project #2 Bonds to negate the legal covenants which create Shell Project #2's prior lien on steam. It might also be economical, from an interest saving standpoint, to advance refund the DOE loan and/or the \$55 million outstanding Shell Project #2 Bonds. The \$130 million Refunding Bond Ordinance would allow NCPA to advance refund the \$55 million outstanding Shell Project #2 Bonds and/or the DOE loan.

NCPA cannot practically issue debt unless it has a take-or-pay commitment (Member Agreement) from the participants in the project being financed to secure the debt. The only outstanding Member Agreement for the NCPA 3 Project is the East Block Second Phase Agreement which is currently limited to \$5.5 million. The proposed \$30 million Amendment to this Agreement would provide the security to allow NCPA to borrow \$30 million to repay the \$5.5 million bank loan, and fund construction costs and interest during construction of the Project through December, 1983.

Continued October 6, 1982

Following a lengthy discussion, on motion of Mayor Reid, Snider second, Council adopted Resolution No. 82-112 indicating its percentage participation in the NCPA No. 3 Geothermal Power Plant to be 9.158 percent, thus retaining its entitlement to 10.074 MW. The motion carried by the following vote:

NCPA SHELL NO. 3
PROJECT

Ayes: Council Members - Murphy, Olson, Snider, and Reid (Mayor)

RES. NO. 82-112

Noes: Council Members - Pinkerton

Absent: Council Members - None

Mayor Reid then moved for introduction of Ordinance No. 1273 - Ordinance of the City Council of the City of Lodi Authorizing the Issuance of Public Power Revenue Bonds by Northern California Power Agency (Geothermal Generating Project No. 3). The motion was seconded by Council Member Snider and carried by the following vote:

Ayes: Council Members - Murphy, Olson, Snider and Reid (Mayor)

Noes: Council Members - Pinkerton

Absent: Council Members - None

Mayor Reid then moved for introduction of Ordinance No. 1274 - Ordinance of the City Council of the City of Lodi Authorizing the issuance of Notes by Northern California Power Agency (Geothermal Generating Project No. 3). The motion was seconded by Council Member Snider and carried by the following vote:

— ORD. NO. 1273, 1274,
1275, and 1276
INTRODUCED

Ayes: Council Members - Murphy, Olson, Snider, and Reid (Mayor)

Noes: Council Members - Pinkerton

Absent: Council Members - None

Mayor Reid then moved for introduction of Ordinance No. 1275 - Ordinance of the City Council of the City of Lodi authorizing the issuance of Public Power Revenue Refunding Bonds by the Northern California Power Agency. The motion was seconded by Council Member Olson and carried by the following vote:

Ayes: Council Members - Murphy, Olson, Snider and Reid (Mayor)

Noes: Council Members - Pinkerton

Absent: Council Members - None

Mayor Reid then moved for introduction of Ordinance No. 1276 - An Ordinance of the City Council of the City of Lodi approving the terms and conditions of amendment No. Two to the Member Agreement (Second Phase) for Financing and Development Activities of the Shell East Block Geothermal Project between Northern California Power Agency and Certain Participating Members, and Authorizing the Execution of and Delivery of said Amendment by Officers of the City of Lodi. The motion was seconded by Council Member Olson, and carried by the following vote:

Ayes: Council Members - Murphy, Olson, Snider, and Reid (Mayor)

Noes: Council Members - Pinkerton

Absent: Council Members - None

Continued October 6, 1982

BENEFIT AND SALARY
INCREASE GRANTED LODI
FIRE FIGHTERS
RES. NO. 82-113

Following introduction of the matter by Staff, Council, on motion of Councilman Pinkerton, Olson second, adopted Resolution No. 82-113 granting a 5% general salary increase plus an increased City contribution to the Employee's PERS account, effective the pay period beginning October 11, 1982.

SIDEWALK WIDTH IN
INDUSTRIAL AREAS
ESTABLISHED

Following introduction of Agenda item k-6 "Discuss Sidewalk width in Industrial Areas", Council, on motion of Councilman Pinkerton, Murphy second, determined the sidewalk width in industrial areas to be four feet, with the exception of State regulations as they pertain to handicapped.

Agenda item k-7 - "Cluff Avenue Improvement Agreements" was introduced by Public Works Director Ronsko. Council Member Pinkerton asked to abstain from the discussion and excused himself from the Chambers. A very lengthy presentation regarding the subject was made by Mr. Ronsko who also presented diagrams for the perusal of the Council.

Following discussion, with questions being directed to Staff, Council on motion of Mayor Reid, Snider second, determined to have all property owners on the east side of Cluff Avenue; namely, Griffen, Lodi Door, and Medlan proceed with the installation of improvements pursuant to existing agreements with the City of Lodi. The motion carried by the following vote:

CLUFF AVENUE
IMPROVEMENT AGREEMENTS

Ayes: Council Members - Olson, Snider, and Reid (Mayor)

Noes: Council Members - Murphy

Abstain: Council Members - Pinkerton

Absent: Council Members - None

RES. ADOPTED
ESTABLISHING FEE
SCHEDULE FOR WATER
AND SEWER REIMBURSEMENT
AGREEMENTS PURSUANT
TO ORDINANCE NO. 1268

Council was reminded, at its August 4, 1982 meeting, Council introduced Ordinance No. 1268 thereby amending Sections 20-51 (i) and 26-14 (i) thereby establishing that the administrative fees for administering the reimbursement provisions of these Charters or Articles be set by Resolution. It is Staff's recommendation that the subject resolution establish the administrative fee at 2% of the total reimbursable cost or \$35.00, whichever is higher. The \$35.00 minimum fee is based on the actual cost of the Finance and Public Works Department to process the check to the applicant.

RES. NO. 82-114

On motion of Council Member Snider, Murphy second, Council adopted Resolution No. 82-114 establishing the subject administrative fees at 2% of the total reimbursable cost of \$35.00, whichever is higher.

CAPITAL IMPROVEMENT
PROGRAM 1982-83

ORD. NO. 1277 INTRODUCED

Agenda item K-9 - "Capital Improvement Program - 1982-83" was introduced by Staff and reviewed by the Council. Following discussion with questions being directed to Staff, Council on motion of Mayor Reid, Murphy second, introduced Ordinance No. 1277 - adopting the City of Lodi Capital Improvement Program - July 1, 1982 - December 31, 1983 in the amount of \$4,326,000. The motion carried by the following vote:

Ayes: Council Members - Murphy, Olson, Pinkerton, Snider, and Reid (Mayor)

Noes: Council Members - None

Absent: Council Members - None

City Manager Graves presented the following bids which had been received for Emerson Park Sprinkler System:

BIDDER	BID
J & B Landscaping	\$15,500.00
Yamaguchi Landscaping	15,711.00

Continued October 6, 1982

	<u>BIDDER</u>	<u>BID</u>
	Sagert Construction	\$15,850.00
	Gus Navarrete	18,423.00
	Ken Owen	18,723.00
	Fries Landscape	19,885.00
	Singh Landscaping	20,200.00
	Nisei Construction	21,376.00
	Harmon Construction	21,620.00
	Grover Landscaping	23,388.00
	Talini Landscaping	29,152.00
	Jonnie Galloway	35,042.00
AWARD - EMERSON PARK SPRINKLER SYSTEM	Following recommendation of the City Manager, Council, on motion of Councilman Pinkerton, Olson second, adopted Resolution No. 82-115 awarding the bid for Emerson Park Sprinkler System to J & B Landscaping, the low bidder, in the amount of \$15,500.00	
RES. NO. 82-115		
BICYCLE AND PEDESTRIAN PATH ESTABLISHED ON NORTH SIDE OF TURNER ROAD BETWEEN RIVERGATE DRIVE AND GROSS CONVALESCENT HOSPITAL	Staff presented to Council a request dated May 20, 1982 from the Lodi Unified School District for a Bicycle and Pedestrian Path on the north side of Turner Road between Rivergate Drive and Gross Convalescent Hospital. Currently there are approximately 34 children each day who bicycle and walk between the subdivision to Lakewood School and Woodbridge Middle School. In addition, most after school and vacation activities to which these children (and adults) bicycle require travel along the same stretch of street.	
RES. NO. 82-116	A lengthy discussion followed with questions being directed to Staff and to representatives of the Lodi Unified School District who were in the audience.	
	On motion of Mayor Pro Tempore Murphy, Olson second, Council adopted Resolution No. 82-116 establishing a five foot bicycle and pedestrian path behind the telephone poles on the northside of Turner Road between Rivergate Drive and Gross Convalescent Hospital with the concurrence of the property owner, Mr. Cope.	
STUDY TO UPGRADE TELEPHONE SYSTEM APPROVED	Following introduction of the matter by City Manager Graves, Council on motion of Mayor Pro Tempore Murphy, Reid second, authorized Henry L. Richter, President of TeleComm Consultants, Inc. to proceed with a study to upgrade and modernize the City of Lodi Telephone System at a cost not to exceed \$4,000 - through Phase II.	
ORDINANCES	Ordinance No. 1270 - Ordinance amending the General Plan Land Use Element consisting of two sections:	
GENERAL PLAN LAND USE ELEMENT CONSISTING OF TWO SECTIONS	Section 1 - Designating portions of Lobaugh Meadows, a proposed 91.17 acre development on the south side of West Kettleman Lane easterly of Lower Sacramento Road, as Medium Density Residential and Office-Institutional.	
ORD. NO. 1270 ADOPTED	Section 2 - Redesignating the 9.96 acre parcel at the southwest corner of West Lodi Avenue and South Ham Lane from Medium Density Residential to Office-Institutional.	
	Having been introduced at a regular meeting held September 15, 1982 Ordinance No. 1270 was brought up for passage on motion of Council Member Pinkerton, Murphy second. Second reading was omitted after reading by title, and the Ordinance was then passed, adopted, and ordered to print by the following vote:	
	Ayes:	Council Members - Murphy, Olson, Pinkerton, Snider, and Reid (Mayor)
	Noes:	Council Members - None
	Absent:	Council Members - None

Continued October 6, 1982

Ordinance No. 1271 - Ordinance rezoning the area encompassed by Lobaugh Meadows, a proposed 91.17 acre development on the south side of Kettleman Lane, easterly of Lower Sacramento Road, from U-H, Unclassified Holding, to P-D(24), Planned Development District No. 24, with the proviso that the 72 acres presently lacking terminal storm drainage not be permitted to develop until such time as a City Council approved drainage system is constructed.

ORDINANCE REZONING
AREA ENCOMPASSED BY
THE LOBAUGH MEADOWS

ORD. NO. 1271
ADOPTED

*11-15-82
10-14-9*

Ordinance No. 1271 having been introduced at a regular meeting held September 15, 1982 was brought up for passage on motion of Councilman Pinkerton, Olson second. Second reading was omitted after reading by title, and the Ordinance was then passed, adopted, and ordered to print by the following vote:

Ayes: Council Members - Olson, Murphy, Pinkerton, Snider, and Reid (Mayor)

Noes: Council Members - None

Absent: Council Members - None

ORDINANCE REZONING
9.96 ACRE PARCEL AT
THE S/W CORNER OF
WEST LODI AVENUE
AND SOUTH HAM LANE
FROM R-GA TO R-C-P

ORD. NO. 1272
ADOPTED

*11-15-82
10-14-9*

Ordinance No. 1272 - Ordinance rezoning the 9.96 acre parcel at the south west corner of West Lodi Avenue and South Ham Lane from R-GA, Garden Apartment Residential, to R-C-P, Residential-Commercial- Professional having been introduced at a regular meeting held September 15, 1982 was brought up for passage on motion of Councilman Pinkerton, Murphy second. Second reading was omitted after reading by title, and the Ordinance was then passed, adopted, and ordered to print by the following vote:

Ayes: Council Members - Murphy, Olson, Pinkerton, Snider, and Reid (Mayor)

Noes: Council Members - None

Absent: Council Members - None

CLOSED SESSION

Mayor Reid adjourned the meeting at approximately 11:55 p.m. to a Closed Session. Upon request, City Clerk Reimche was excused from attending this session.

ADJOURNMENT

Council was apprised that the City Council meeting of October 20, 1982 will be adjourned by the City Clerk to 8:00 p.m. Wednesday, October 27, 1982.

Attest:

Alice M. Reimche
ALICE M. REIMCHE
City Clerk